

DISTRICT VI ADVISORY BOARD
Minutes

Monday
December 6, 2004
7:00 p.m.

Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom

The District VI Advisory Board Meeting was held at 7:00 PM at Evergreen Recreation club lounge room. In attendance were the District VI City Council Member, nine (9) District Advisory Board Members, two (2) District Advisory Board youth, seven (7) city staff, and nine (9) Citizens. Approximately 28 signed in.

Members Present

Council Member Sharon Fearey
Rosalie Bradley
Sandra Whittington
Jaya Escobar
Dick Rumsey
Paul Daemen
Bob Schreck
Bickley Foster
Linda Matney
Gil Gutierrez
Garrett Harmon-Y
Brittany Hernandez-Y

Member Absent

Maurine Willis
Marcia Carr

Guest

Listed at the end

Staff

Listed at the end

Public Agenda

- 1. Scheduled items** - None
- 2. Off-agenda items** – see police report

Staff Presentations

3. Community Police Report

Officer Kyle Patrol West Beat 11 discussed a rash of burglaries in Riverside. He has worked with Riverside Citizens Association to hand out flyers and advise neighbors of what is taking place. There have been no burglaries to report. At 1100 N Sheridan we confiscated a large amount of drugs in a home there.

Officer Rose-Patrol South Beat 22 and Beat 21 near the River Downtown and Old Town. *Rose* stated he was back in Community Policing at Patrol South and has worked for 11 years as an officer. We have had break ins downtown in vehicles with no suspects. If you are out holiday shopping make sure to lock your cars. We have illegal violations of a club in Old Town.

A lady came forward and asked what she could do with a known gang house near her home. They have had two drive-by shootings in broad daylight within one month. She has contacted numerous depts. within the City and has not received any response. All the neighbors are scared and don't know what to do. She said the first time there was a drive-by, police came out with flyers to let everyone know what was happening but the second time there were no police.

Officer Rose said he would meet with her immediately to get more information and report this to the appropriate staff.

Member Rumsey asked the lady to come back in a month and let us know what has taken place with this problem.

*****Action Taken: Receive and file

4. Improvement to the intersection at 13th and Broadway

Jim Armour, Public Works gave the background about this intersection since 1999. *Armour* stated there are significant Right Of Way conditions. The Intersection has problems and work needs to be redone. City Council has allocated additional funding for this project, which makes it easier to do. The 2004-13 Capital Improvement Program adopted by City Council is to improve this intersection. The financial considerations were listed in the staff report sent to you previous to the meeting. We would have liked to met with area residences and businesses before coming tonight. Traffic flow is 14,000 cars per day on 13th street and 12,000 cars per day along Broadway street.

Council Member Fearey responded *Jim* had already met with Historic Midtown Citizens Association about the improvement project.

Member Foster asked about the area north of 13th on the west side at the mortuary entrance. Also, is it possible to get the land on the southwest corner without destroying the building and possibly minimizing and tapering lengths and widths to keep from getting more Right Of Way?

Member Bradley stated at the crossing would it be okay to get into St Paul's Church including making a left turn in and out.

Todd Phifer Manager of Cochran Mortuary said his building is socked in and he knows this project is necessary. We don't have enough space now and once this project begins we won't have parking for our funeral escorts. We want to continue to do business but with this project we won't be able to conduct business. We were never consulted and now this project will be beginning soon. *Phifer* asked if there would be necessary acquisition? *Armour* responded the City would need 50% complete clearance before we get right of way. We can visit about the project but it's possible there will be no negotiations because we could lose Federal dollars slated for the project if changes are made.

Mike Chang-business owner on the northeast corner of 13th and Broadway owns 100 ft facing Broadway and 140 ft facing 13th, street. I have no concrete information. They say they will take 20 ft of my South property and there will be no commercial development from this point.

Council Member Fearey stated when the City purchases Right Of Way they give fair market value.

Member Foster responded this is a needed improvement before other structures can be built. The City is using minimal area to do this project.

*******Action taken:** DAB VI recommends approving project subject for the opportunity of the businesses to work with the city to determine how much of their property will be used for the Right Of Way. (**Foster/Rumsey 9-0**)

Council Member Fearey stated she would have someone visit with the businesses before this project begins.

5. **Sanitary Sewer to serve an area on the West side of Armstrong, north of 35th Street North**

Jim Armour, Public Works, gave the background from previous DAB meetings on this project. *Armour* commented on attempts to work with the southern property owner and remainder of residents of the area. There has been reluctance by the neighbors to use their back yards for use of installing the sanitary sewer line and would prefer the street right of way be used. Estimated cost is \$10,000 for each lot, this is more expensive but will be easier to maintain. A total of \$60,000 estimate is more on the high side but we don't want to risk having to redo this again due to project funding. This project cost has been reviewed with our Law department.

Cheraie McIntosh, a southern property owner stated we appreciate this sewer not going through our backyards. I'm here tonight because we want our property to be removed from this project. We want to be excluded from this, as it will not affect us in any way. We have tried talking to the City's Law department and to this day there has been no response from them. Every house is subject to sewer assessment but we have not been presented with an ordinance stating this. We have held meetings since July and the Law department has not attended any of them. I'm asking this to be postponed so we can get our questions answered. We are being included because our house has not been assessed since 1991. I'm asking the DAB to exclude us from their recommendation.

Patrick Kennedy, we don't want the sewer system and we didn't ask for this \$6,000 charge, which is on the expensive side. Now they want to go in front of our properties with a \$10,000 estimate. One resident only needs the sewer and if we have are forced to have this can the charge be the \$6,000 cost.

Jane Voth, My septic system works fine. My neighbor's system is the one not working. We should not be forced to pay for this as our septic system works fine. I've lived here 14 years.

Randy Saggerty I've lived in the area 6 ½ years, my system is fine. If the neighbor's system has failed-where is his sewage going?

Kay Johnson Director of Environmental Health said in this area some homes are from the mid 1900's. They are old homes. Two of the homes already have problems facing failing sewage and septic systems. The remaining homes have no permit for their systems. If their systems fail they need to replace with a sewer system.

Member Rumsey asked if the septic system could be repaired? *Johnson* responded some systems don't meet our requirements today. The area is not suitable and there should be no septic systems due to the current conditions. We need to look at the lateral lines and the way homes are laid out.

Member Foster asked which other property has septic failure? *Johnson* responded we have evidence of another failed system and history shows after one system fails then they all start to fail. **Foster** continued with what is the City's responsibility on this? When the property is close to public sewer, the City orders in sewer service. **Member Foster** finished with it's just a matter of time for the other home systems to fail. Two homes having problems can't this be taken care of individually? *Johnson* said once a problem is identified couldn't you put more

homes on the benefit district? This would work better. **Member Foster** asked who decided they don't want the sewer system down the backside of the homes? *Armour* said the McIntosh's didn't want their property dissected by going down the backside, they felt the property would lose value. So now you are going off East side to get to their property? *Yes*, If we are able to serve 8 lots the cost could be as low as \$6,000 but we would have to acquire easement and some resident's didn't want this.

Member Schreck asked if the four north lots do not need sewer line? That's correct, that could be done at a later time.

One member of the public interjected the owner with the failing septic problem is running a business out of his home and damaged his own system.

Steve Keens, affected owner said his only goal was to have sewer service and understands that no one wanted it running through their backyard. I need basic city sewer service now and I'm trying to go through this to get the service. If this is tabled and not ordered, I'm screwed. Regardless of any other properties now, please give me the sewer system to be hooked to.

Member Escobar asked why wouldn't it be possible for one person to be hooked up? **Council Member Fearey** said the main needs to be extended first.

Member Matney commented her business was held hostage for two years with the same problem and experience shows other systems in the area will fail. The City tries to be fair when they have to do these kinds of projects.

Member Bradley stated if none of the homes meet current code they couldn't sell them.

Member Foster is there any choice on payments? We have a 20-year loan now with interest low as 4.0 %.

Member Daemen said the last meeting we made a motion to defer for the Law dept. to get in touch with the McIntosh's and legal hasn't met with them yet.

Member Whittington commented saying she understands this is difficult but living in the City is costly.

***** **Action Taken:** Recommended approval as presented with alignment to the properties (**Matney/ Bradley 8-1/ Daemen**)

6. **Kingsbury Park**

Larry Hoetmer, Park and Recreation's Landscape Architect began his presentation saying Kingsbury Park was previously known as Brooks Landfill. Now that Brooks is no longer used the property has been set aside for parkland. The City of Wichita has entered into an agreement with Quicksand on development for revenues for the city and the park.

Lee Booth, Wilson Darnell Mann worked with the park department and Quicksand on mining the sand. *Hoetmer* continued saying this park would be passive including water features with a small amount of activity. There would be some ticketing for events. There are 20 acres of developable land and a location for a sanitary sewer treatment plant and for future use nature trails located along West street and the Arkansas side. At this time it is just a concept for a 10-20 year plan and there is no funding.

The following are comments/questions presented by DAB members: *responses in Italics*

- ◆ I don't see enough parking
- ◆ the 20 acres that can be used for development, will the City sell this? *The city would offer this land for possible commercial use but the city would retain the land.*
- ◆ If you dig 30 ft deep will there be problems due to the property having been a landfill? *Currently the city is working with KDHE, county and the wild life park to determine what will be safe.*
- ◆ What about the wells? *Monitoring wells are on the west side with surface water that is clean*
- ◆ Arkansas River will this be kept separate from Brooks run-off? *There are connections to the river but it will pass first through a sedimentation pond before being dumped.*
- ◆ Why is development starting at the NE section first? *Quicksand will start their process to pump to their equipment from there. Lots of projects in Wichita use sand.*
- ◆ Why is this coming to us now?

At this point **Council Member Fearey** asked if this project is going to the park board again? *When this plan was designated as a park, the sanitary sewer sites were not included. Now that the sewer plant will go there, the park Board will need to hear again.*

- ◆ I'm concerned about the 20 acres of land to be developed. Are you bringing in enough money to develop this? *We will know more after the mining process begins*
- ◆ What size will the parking near Hoover be? *480 total parking spots*
- ◆ Do you feel comfortable with this concept? Why didn't park do the design? This looks like Quicksand is telling parks what to do. *The RFP states the mining company work with the design architect and the park architect. The mining company is paying for the design.*
- ◆ How is the sewer treatment plant not going to be an impact on this area? *The plant will be placed on the north side and will have very little odor.*
- ◆ Is this project to be paid for by the sand company? *Some proceeds will be used* Will taxpayers have to pay? *Possibly for some maintenance and development but not at this time.*
- ◆ The West gate entrance, will it be closed at night? *yes*

Dan Boorst, member of the public discussed skiing in Colorado. Boorst wants to turn the dump mountain into a ski slope for tubing and snow boarding. The sand could be piled up for snow activities. Include an amphitheater, hotel, etc, arts and craft shop. Wants to add artificial snow.

Bob Aldrich, Park Board said he voted on the concept of the development. He invited everyone to go and see the NW sewer plant. There is very little odor.

******* Action Taken:** Motion to recommend the concept of the Kingsbury Park plan including the siting of the water treatment plant and start development on the large part of the lake when ready to implement. (Schreck/Matney 7-2)

7. 21st Street Redevelopment project

Dave Barber, Planning Land Use Supervisor stated the DAB Members were provided the information given to the steering committee to review prior to tonight's meeting.

Barber continued saying there had been a lot of neighborhood and community involvement to assist with this plan. There are no major changes to the document except for in the editorial and some administrative changes. We will have new copies by Wednesday. The MAPC will hear this plan on Thursday. There has been a lot of feed back from the Environmental Health department and they wish to eliminate contamination where needed. Now we need to remediate and make appropriate changes so the plan supports current environmental issues.

Member Matney asked 1) if BNSF will participate with the plan? *They are not happy and not interested in relocation of their railroad.* 2) Environmental issues, is the soil contaminated and is it cleaned on site or replaced with clean soil. *We need to determine the contamination level? We haven't tested yet.*

Parking ratios: will you be using trolleys instead of allowing parking for everyone? *We will need to reevaluate the parking requirements.* *Barber* said a possible overlay district will be needed along where the international market will be located.

Matney asked if at 20th and Piatt the memorial being considered, can it be worked into the plan? The plan is a flexible document we could possibly accommodate.

Member Escobar asked about page 16 in the document submitted public parks and open spaces deserve more detail as not much has been said. *Barber* said other areas are noted for more sites of recreation

Member Foster finished by saying he was very impressed with City staff and the consultants, this has been a very open plan and the final product is very impressive.

*******Action Taken** Motion from DAB VI recommending to City Council the plan be approved by City Council and MAPC with on going amendments. **(Foster/Escobar 9/0)**

BOARD AGENDA

8. Problem Properties

Member Rumsey discussed a problem in Benjamin Hills where residents are violating the restrictive covenants by having home occupations but the neighborhood association is not going to enforce the by-laws.

*******Action Taken:** Receive and File

9. Neighborhood Reports

There will be a bus trip on sewer treatment siting locations on Jan 29th. Notify the neighborhood assistant if you would like to take this tour.

On January 25th a info fair on the siting treatment plant will be at Riverlawn Christian Church at 7pm.

*******Action Taken:** Receive and file

UPDATES FROM THE COUNCIL MEMBER

Wednesday, December 15th DAB meeting will begin at 7:00 p.m. due to an event requiring the neighborhood assistant's presence and myself.

With no further business to discuss, the meeting adjourned at 9:25 p.m. (Escobar/Matney)

Guests

Beverley Klag	1817 N. Waco
Lee Engler	1551 N Shefford -Presenter of Kingsbury
Jerry Prichard	1607 N Clarence-Indian Hills-Riverbend NA
Michael Tran	3224 E 1 st
James and Cheria McIntosh	3619 N Armstrong
La Favorita	201 E 21 st
Steve Kerns	3623 Armstrong
Ken Thomas	2300 N Broadway

Staff

Larry Hoetmer	Parks and Recreation
Jim Armour	Public Works
Kay Johnson	Environmental Health Department
David Metinice	455 N Main
Officer Kyle	Patrol West
Officer Rose	Patrol South
Terri Dozal	Neighborhood Assistant

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant